

## Message Text

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ACTION HA-05

INFO OCT-01 EA-10 IO-13 ISO-00 SS-15 SY-05 CA-01  
CIAE-00 INR-10 L-03 USIA-06 PA-01 NSCE-00 SSO-00  
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TO SECSTATE WASHDC 2808  
INFO AMEMBASSY BANGKOK  
AMCONSUL HONG KONG  
AMEMBASSY JAKARTA  
AMEMBASSY KUALA LUMPUR  
AMEMBASSY SINGAPORE  
USMISSION GENEVA

LIMITED OFFICIAL USE CANBERRA 2272

EO 11652: NA  
TAGS: SREF, VN, US  
SUBJECT: INDOCHINESE REFUGEES - ARRIVAL OF VSNG 1028 AND AUSTRALIAN  
ATTITUDES

REF: (A) KUALA LUMPUR 2349, (B) KUALA LUMPUR 2167

1. SUMMARY: ARRIVAL OF LATEST REFUGEE BOAT WITH 108  
PEOPLE ABOARD HAS RAISED SEVERAL ISSUES CONCERNING FUTURE  
AUSTRALIAN ACTIONS AND ATTITUDES TOWARD REFUGEES.

2. VIETNAMESE BOAT VSNG 1028 WITH 108 PEOPLE ON BOARD  
ARRIVED IN DARWIN ON MARCH 26. GROUP IS COMPOSED OF 93  
MEN, 8 WOMEN AND 7 CHILDREN. MINISTER OF IMMIGRATION  
AND ETHNIC AFFAIRS HAS ISSUED STATEMENT TO EFFECT THAT  
EXACT STATUS OF PASSENGERS AND CREW YET TO BE DETERMINED  
PENDING CLARIFICATION OF THE CIRCUMSTANCES SURROUNDING  
ACQUISITION OF VESSEL. HE NOTED THAT THOSE PASSENGERS  
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WHO CLAIM REFUGEE STATUS WOULD HAVE THEIR CLAIMS  
REFERRED TO THE DETERMINATION OF REFUGEE STATUS  
COMMITTEE.

3. ARRIVAL OF THE BOAT GENERATED SPATE OF NEWS STORIES  
RANGING FROM REPORTS THAT PASSENGERS HAD BEEN MURDERED  
EN ROUTE, THAT OTHERS HAD BEEN FORCED TO WALK THE PLANK

AND THAT REFUGEES WOULD BE REFUSED ADMISSION. THE MINISTER'S STATEMENTS ISSUED IN EFFORT TO DOWNGRADE "WILD RUMORS" BEING REPORTED IN PRESS.

4. ON MARCH 28, EMBOFF ATTENDED MEETING AT INVITATION OF AUSTRALIAN IMMIGRATION OFFICIALS TO DISCUSS PROBLEMS SURROUNDING LATEST REFUGEE BOAT. DISCUSSION FELL INTO TWO BROAD CATEGORIES: (A) STATUS OF REFUGEES WHO HAD BEEN ACCEPTED FOR RESETTLEMENT AND THEN ELECTED TO TRAVEL TO AUSTRALIA ON BOAT; AND (B) QUESTIONS REGARDING WHAT (IF ANY) ACTION SHOULD BE TAKEN WITH REGARD TO THE MASTER AND CREW.

5. IN FIRST ROUND OF TALKS WITH REFUGEES, IT APPEARS THAT NINE PERSONS MAY HAVE BEEN INTERVIEWED BY U.S. AUTHORITIES. ALL HAVE DENIED THEY WERE IN FACT ACCEPTED FOR U.S. RESETTLEMENT. (FULL DETAILS INCLUDING NAMES OF REFUGEES WILL BE FURNISHED LATER.) AUSTRALIAN AUTHORITIES ASK IF THESE PERSONS WOULD STILL BE ELIGIBLE FOR U.S. ENTRY. EMBOFF GAVE OPINION (BASED ON PARA 4 OF REF B) THAT BY TAKING ACTION TO GAIN ENTRY INTO ANOTHER COUNTRY REFUGEES HAD FORFEITED CLAIM TO U.S. ENTRY. AUSTRALIANS POINTED OUT (AND STRESSED REPEATEDLY) THAT REFUGEES HAD NOT BEEN GRANTED PERMANENT ENTRY. UNTIL THEIR CASES ARE REVIEWED, THE REFUGEES AT BEST WOULD BE ACCORDED CONDITIONAL ENTRY. A SUGGESTION WAS MADE THAT PRESENCE IN LIMITED OFFICIAL USE

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AUSTRALIA SHOULD BE CONSIDERED EXTENSION OF "FIRST ASYLUM STATUS." DEPARTMENT'S COMMENTS WOULD BE APPRECIATED.

6. SECOND AREA OF CONCERN TO AUSTRALIANS IS THE STATUS OF THE BOAT AND CREW. INTERVIEWS TO DATE HAVE ESTABLISHED THAT BOAT BELONGS TO VIETNAMESE GOVERNMENT. EARLY CLAIM BY PRESENT MASTER THAT HE OWNED 50 PERCENT HAVE BEEN PROVEN WRONG. THE BOAT APPARENTLY SEIZED IN VIETNAMESE WATERS AND CREW GIVEN OPTION OF STAYING ABOARD OR LEAVING SHIP. CURRENT MASTER (FORMERLY CHIEF FISHERMAN) CLAIMS THAT CREW ELECTED VOLUNTARILY TO LEAVE SHIP. THREE LEFT IN A LIFE RAFT AND FOUR LEFT IN LIFE JACKETS. MASTER CLAIMS THAT ACTION OCCURED NEAR AN ISLAND AND IN VICINITY OF OTHER FISHING BOATS. FOUR OF CREW SAVED AND PRESENTLY IN HONG KONG. THE FOUR IN HONG KONG HAVE CONFIRMED VOLUNTARY DEPARTURE THUS REMOVING ONE LEGAL QUESTION. HOWEVER, THE PROBLEM OF POSSIBLE PROSECUTION ON GROUNDS OF THEFT OR HIJACKING REMAINS. THE CREW AND MASTER ARE PRESENTLY BEING DETAINED ON BOARD THE VESSEL ANCHORED IN DARWIN HARBOR. IN-DEPTH INTERVIEWS ARE BEING CONDUCTED TO ATTEMPT TO UNRAVEL FULL STORY OF VOYAGE. UNTIL INTERVIEWS ARE COMPLETED, QUESTION OF NECESSITY FOR

LEGAL ACTION IS UNRESOLVED.

7. IMMIGRATION OFFICER RECENTLY RETURNED FROM MALAYSIA NOTED THAT PROSECUTION QUESTION HAD WIDER RAMIFICATION IN VIEW OF NUMBER OF BOATS ILLEGALLY SEIZED PRESENTLY IN MALAYSIA. (SITAUION PREVIOUSLY REPORTED IN REF A.)

8. IN COURSE OF MEETING IT DEVELOPED IDEA HAD BEEN DISCUSSED WITH UN REPRESENTATIVE THAT REFUGEES SHOULD BE RETURNED TO MALAYSIA TO AWAIT PROCESSING UNDER NORMAL RESETTLEMENT PROGRAMS. PRELIMINARY TALKS INDICATED THAT MALAYSIANS MIGHT NOT BE ADVERSE TO SUCH AN ARRANGEMENT.

9. IT WAS CLEAR FROM THE GENERAL COMMENTS THAT AUSTRALIANS LIMITED OFFICIAL USE

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ARE SERIOUSLY CONCERNED THAT NEW TIDE OF REFUGEES WILL SEEK TO ENTER THE COUNTRY ILLEGALLY. IF SUCH A MOVE DEVELOPS, IT COULD JEOPARDIZE CURRENT PROGRAMS.  
ALSTON

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## Message Attributes

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**Executive Order:** N/A  
**Errors:** N/A  
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**Reference:** 78 KUALA LUMPUR 2349, 78 KUALA LUMPUR 2167  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014